

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL GEBHARDT,

Plaintiff,

vs.

**LYNN M. LARSON and
MARTINE BARBOUR,**

Defendants.

2:20-CV-11742-TGB-PTM

**ORDER ADOPTING REPORT
AND RECOMMENDATION
(ECF NO. 52)**

This matter is before the Court on Magistrate Judge Patricia T. Morris's August 2, 2022 Report and Recommendation (ECF No. 52), recommending that Defendant Barbour's Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 41) be granted.

The Court has reviewed the Magistrate Judge's Report and Recommendation and finds that it is well-reasoned and supported by the applicable law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.*

Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge's Report and Recommendation of August 2, 2022 as its findings of fact and conclusions of law.

Accordingly, it is **ORDERED** that Magistrate Judge Morris's Report and Recommendation (ECF No. 52) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant Barbour's Motion for Summary Judgment (ECF No. 41) is **GRANTED**. The Clerk's Office is requested to remove Defendant Barbour from the case caption.

SO ORDERED this 12th day of September, 2022.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge